

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RILEY P. SMITH,

Plaintiff,

vs.

THOMAS P. STRIGENZ, Head Public
Defender;

Defendant.

8:24CV495

MEMORANDUM AND ORDER

On December 23, 2024, Plaintiff Riley P. Smith filed an unsigned Motion for Leave to Proceed in Forma Pauperis (“IFP”). [Filing No. 2](#). Also on December 23, 2024, the Clerk of Court advised Plaintiff that his IFP Motion was unsigned and therefore deficient. The Clerk of Court directed Plaintiff to “correct the deficiency” (i.e., file a signed IFP Motion) within 14 days, or the pleading “may be stricken from the record of this case.” [Filing No. 5](#) (text notice of deficiency). Plaintiff has failed to follow the Clerk of Court’s directions.

Accordingly, the Court shall order Plaintiff to file a signed IFP Motion that complies with [Federal Rule of Civil Procedure 11](#) and the Court’s Local Rules. This matter cannot proceed until the foregoing deficiency is corrected. FAILURE TO CORRECT THE DEFECT WITHIN 30 DAYS WILL RESULT IN DISMISSAL OF THE COMPLAINT WITHOUT FURTHER NOTICE.

IT IS THEREFORE ORDERED that:

1. Plaintiff is directed to correct the above-listed technical defect on or before **February 24, 2025**. Failure to comply with this Memorandum and

Order will result in dismissal of this matter without prejudice and without further notice.

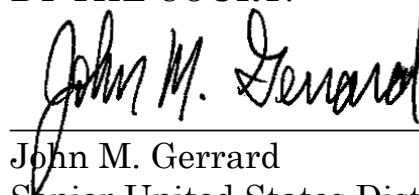
2. The Clerk of Court is directed to send to Plaintiff a copy of his IFP Motion, [Filing No. 2](#).

3. The Clerk of Court is directed to set a pro se case management deadline in this matter with the following text: **February 24, 2025**: deadline to submit signed IFP Motion.

4. No further review of this case shall take place until Plaintiff complies with this Memorandum and Order.

Dated this 23rd day of January, 2025.

BY THE COURT:

A handwritten signature in black ink, reading "John M. Gerrard", is written over a horizontal line.

John M. Gerrard
Senior United States District Judge